

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING – FEBRUARY 2, 2010**

The meeting was called to order at 9:00 A.M. with Commissioners Kasian, Arthaud, and Thompson in attendance.

Thompson moved to approve the minutes from the January 5, 2010 regular meeting. Kasian seconded.

Others present during portions of the meeting were: State's Attorney Jay Brovold; KLJ Engineer Craig Kubas; Tim Stilman with Bridger Pipeline; Ed Gawrylow, State's Attorney Jay Brovold, Tax Director Lynn Arthaud, Sheriff Dave Jurgens, Deputy Pat Rummel, Deputy Jason Kastrow, Ambulance Director Keri Klang, 2nd District Road Foreman Roy Krivoruchka, 1st District Road Foreman Jim Haag, Doug Ellison

The board accepted the resignation of Superintendent of Schools Virginia Bares, and discussed the dissolution of the position with the duties being assigned to the Billings County Auditor and the school officers. Kasian moved to adopt Resolution Number 2010-12. Thompson seconded.

**RESOLUTION NUMBER 2010-12
BILLINGS COUNTY SUPERINTENDENT OF SCHOOLS**

The following Resolution was introduced by Commissioner Kasian and seconded by Commissioner Thompson for adoption:

WHEREAS, the Billings County Board of County Commissioners accepted the resignation of County Superintendent of Schools, Virginia Bares, as of June 30, 2010.

THEREFORE BE IT RESOLVED, that the Office of County Superintendent of Schools for Billings County be dissolved as of June 30, 2010, and the statutory duties be assigned to the Billings County Auditor and school officers.

NOW, THEREFORE BE IT RESOLVED, that said plan of duties be attached to this resolution and signed by the President of the Billings County School Board.

Upon vote being taken, all votes yes, and the Chairman of the Billings County Commission declared the Resolution adopted.

Dated this 2nd day of February, 2010

APPROVED: ss: James Arthaud, Chairman

ATTEST: ss: Joan Jurgens, Auditor

Tim Stilman with Bridger Pipeline informed the board that they were proposing a crude pipeline that would include approximately 6 miles of pipe in northern Billings County. The intent of the pipeline is to bring oil out of the field and reduce the amount of trucks traveling on county roads.

Pat Rummel presented the board with the Snow Emergency Declaration declared by Chairman Arthaud on January 24, 2010. He also gave the board an update on the Multi-Hazard Mitigation Plan and the ambulance grant. They presented a proposal to make the top level of the fire hall into two sleeping rooms to accommodate bringing someone in to cover the ambulance during the ambulance director's days off. The salary for those covering the ambulance during those times is part of the grant received. Arthaud moved to approve the request. Kasian seconded. All voted aye.

State's Attorney Brovold opened the following sealed equipment bids at 11:00 AM as advertised.

Snowplow truck – District 2: Peterbilt, Fargo - \$97,848.00; Wallwork Truck Center - \$91,885; Westlie Crossroads - \$104,417.00; Nelson International - \$96,545.42

End-dump truck – District 1: Peterbilt, Fargo - \$97,980.00; Wallwork Truck Center - \$89,668.00; Westlie Crossroads - \$98,280.00; Nelson International - \$93,452.11

Proper use of the county radio was discussed, and it was determined that any emergency response radio traffic gets preferential use during an emergency.

Lynn Arthaud informed the board that the zoning board elected new board members. Joe LaDuke is now Chairman, and John Tczap is Vice-Chairman. Verizon requested approval to build an equipment shelter for the existing tower near Fryburg in section 5- 139-100. The board decided that it fell under the original zoning application that was previously approved. Discussion of subdivision ordinances followed.

12 Noon to 1:00 P.M. The board recessed for lunch.

The public hearing regarding Resolution 2009-13 pertaining to making the State’s Attorney position appointed due to the lack of a qualified candidate per North Dakota Century Code. The resolution was published with the December 2009 minutes and included in the published public hearing notice. Chairman Arthaud explained the process, and nobody spoke in favor of, or against the resolution. Arthaud moved to accept Resolution 2010-13. Kasian seconded. All voted aye.

RESOLUTION NUMBER 2010-13

WHEREAS, the Board of County Commissioners of Billings County, ND, has previously, on December 1, 2009, adopted Resolution No. 2009-13, a preliminary resolution redesignating the Office of Billings County State’s Attorney as an appointed position; and

WHEREAS, a public haring theron was held on February 2, 2010, in Medora, ND, having been advertised as required by law, and public comment has been received and considered.

THEREFORE BE IT RESOLVED:

- 1. That, pursuant to NDCC 11-10.2-02, the Office of Billings County State’s Attorney is redesignated as an appointed position, with appointment to be made at the expiration of the term of the current elected State’s Attorney.
- 2. The initial appointment for the Office of Billings County State’s Attorney will be made effective as of January 1, 2011, and will continue on a year-to-year basis thereafter.
- 3. The position of Billings County State’s Attorney will not be on the 2010 election ballot.

Dated this 2nd day of February, 2010

APPROVED: ss: James Arthaud, Chairman
ATTEST: ss: Joan Jurgens, Auditor

The board approved the revenue vouchers for the month of January: County Recorder \$2,287.50 January collections; Clerk of Court \$68.60 county fees and \$2,726.00 state fees.

Revenues for materials and/or services rendered in January: Joe Kessel \$71.50 dental insurance; Roger Malkowski \$646.80 scoria; Stoppleworth & Sons \$252.00 scoria; Joan Jurgens \$180.01 generator rental, Rodney Krogh \$185.25 scoria & trucking; TRMF \$60,238.27 riverbank stabilization

Revenues for the month of January: State Aid \$40,252.54; Highway Distribution \$8,794.81; Township Road Distribution \$17,171.54; Oil & Gas Production Tax \$206,575.70; Interest \$7,771.35; Royalties \$51,210.87

The following claims were approved for payment:

Acme Electric	Shop Supplies	96730	\$	63.99	2
Advanced Business Methods	Copier Contract	96731	\$	671.95	
Alternative Sanitation	Haul Waste	96732	\$	141.00	1, 2, 3
Ameripride Linen Service	Mat Rental	96733	\$	42.85	3
Arthaud, Jim	Easement	96734	\$	2,686.00	2
Billings County Rural Fire District	Taxes	96735	\$	19,503.76	
Billings County Historical Society	Taxes	96736	\$	1,100.16	

Billings County Pioneer	Publishing	96737	\$	650.52	1, 2, 3, G
Billings County School District	Weed – Shop Rent	96738	\$	300.00	Weed
Billings County School District	Taxes	96739	\$	146,026.45	
Billings County Sheriff	Training Expenses	96740	\$	143.80	
Belfield Automotive Supply, Inc.	Parts & Supplies	96741	\$	989.36	1, 2, 3
Bender Chevrolet, Dean	S. O. – 2010 Chevrolet Truck	96742	\$	16,469.00	
Best Energy	Propane	96743	\$	10,478.00	1, 2, G
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	96744	\$	1,951.80	1, 2, 3, W, G
Brooks & Associates, C.E.	Land Use Plan – Roadless	96745	\$	154.40	
Brooks & Associates, C.E.	Land Use Plan	96746	\$	6,940.28	
Brovold, Jay	Wellness Program	96747	\$	175.00	
Butler Machinery Company, Inc.	Parts & Supplies	96748	\$	721.00	1
Carquest Auto Parts	Parts & Supplies	96749	\$	51.39	1
Cass County Treasurer	Document Preservation Fund	96750	\$	129.00	
Cerkoney, Cathy	Zoning Meeting – Mileage	96751	\$	70.00	
Comfort Inn – Bismarck	S. O. – Travel	96752	\$	118.00	
Creative Energy	Gas, Diesel, Oil, & Shop Supplies	96753	\$	9,595.71	1, 2
Dakota Farm Equipment, Inc.	Parts & Supplies	96754	\$	689.23	2, G
Dakota Farm Equipment, Inc.	Black Max Snow Blower	96755	\$	9,575.00	3
Dakota Water Treatment	Water System	96756	\$	25.00	1
Dan’s Interstate Conoco	S. O. – Gas	96757	\$	588.88	
Diamond Truck Equipment, Inc.	Parts & Repairs	96758	\$	1,590.90	1
Dickinson Parks & Recreation	Wellness Program	96759	\$	200.00	
Dickinson Public Library	Library Service	96760	\$	3,536.08	
Dickinson Tire, Inc.	S. O. – Tires	96761	\$	144.00	
Don Hume Leathergoods	S. O. – Equipment	96762	\$	95.40	
Fisher Industries, Inc.	Gravel Crushing	96763	\$	357,238.00	2
Gawrylow, Edward G.	Easement	96764	\$	517.00	2
George’s Tire, Ltd.	Tires	96765	\$	820.00	1, 2
Golden Valley County	Social Service	96766	\$	2,990.58	
Golden Valley County	Social Service Driveway	96767	\$	400.00	
Governsoft	Dakota Programs Software Support	96768	\$	11,783.00	
GT Distributors, Inc.	S. O. – Equipment	96769	\$	162.85	
Hlebechuk Construction, Inc.	Snow Removal	96770	\$	3,765.50	1, 2
Iverson, Jeff	Parts & Supplies	96771	\$	38.75	3
Johnson, Christine	Wellness Program	96772	\$	175.00	
Johnson, Larry D.	Wellness Program	96773	\$	175.00	
J P Steel & Supply, Inc.	Iron Supplies	96774	\$	330.78	2
Kadrmas, Lee, & Jackson, Inc.	Engineering	96775	\$	6,513.75	1, 2, 3
Kasian Connie	Zoning Meeting – Mileage	96776	\$	65.00	
Kasian, Mike	Commissioner – Mileage	96777	\$	76.00	2
Kastrow, Jason	Wellness Program	96778	\$	175.00	
Kessel, Anita	Zoning Meeting – Mileage	96779	\$	75.00	
Krebs Machine & Repair	Parts & Repairs	96780	\$	1,650.77	1, 2
Krush, Paul	Zoning Meeting – Mileage	96781	\$	77.00	
Kuntz, Paul & Donna	Easement	96782	\$	8,450.00	2
LaDuke, Joe	Zoning Meeting – Mileage	96783	\$	35.00	
Mark’s Tire Service, Inc.	Courthouse – Vehicle Maintenance	96784	\$	216.08	
Mathison Company	Copier Inks	96785	\$	391.71	
Medora, City of....	Taxes	96786	\$	22,939.02	
Midstate Telephone Company	Courthouse – Telephone Service	96787	\$	957.19	
Midstate Communications	Supt. of Schools – Telephone	96788	\$	40.33	
Miller Machine & Welding.	Parts & Supplies	96789	\$	174.11	1, 2
Missouri Valley Petroleum, Inc.	Gas, Oil, & Diesel Fuel	96790	\$	16,885.03	2, 3, G
National Sheriff’s Association	Membership Dues	96791	\$	50.00	
N.D. Association of Counties	911 Taxes	96792	\$	209.30	
N.D. Association of Counties	Marriage License Program	96793	\$	17.00	
N.D. Clerk of Court Association	Membership Dues	96794	\$	60.00	
N.D. Cowboy Hall of Fame	Meeting Room Maintenance	96795	\$	200.00	
N.D. Dept. of Transportation	Bridge Inspections	96796	\$	837.00	1, 2, 3
N.D. Dept. of Transportation	Salt	96797	\$	1,529.07	2
N.D. Envelope Company	Recorder – Supplies	96798	\$	260.00	
N.D. Game & Fish Dept.	Game Licenses	96799	\$	1,649.00	
N.D.P.E.R.S.	Health Insurance Premium	96800	\$	26,909.76	1, 2, 3, W, G
N.D. State Treasurer	Clerk of Court Fees	96801	\$	4,678.28	
NDACO Resources Group	Recorder – Supplies	96802	\$	167.40	
NDSU Extension Service	Noxious Weed Brochures	96803	\$	8.00	Weed
Golden Valley County Extension	Beef Day Sponsorship	96804	\$	50.00	Weed
Nelson International	Parts & Supplies	96805	\$	88.37	1
Newby’s Ace Hardware	Parts & Supplies	96806	\$	467.86	3, G
North Central Ambulance Service	2009 Chevrolet Ambulance	96807	\$	40,584.00	
Northwest Tire, Inc.	Tires	96808	\$	197.99	2
O’Brien Welding	Parts & Supplies	96809	\$	218.50	3
Off Road Software, Inc.	GIS Software	96810	\$	1,400.00	
OK Tire Store	Tires	96811	\$	273.99	3
Paluck, Doug	Easement	96812	\$	2,816.00	2
Parkway Ford Lincoln Mercury	Parts & Supplies	96813	\$	342.50	2
PCSinet	Website Host	96814	\$	352.00	
Pitney Bowes	Postage Machine Contract	96815	\$	349.08	
RDO Equipment Company	Parts & Supplies	96816	\$	2,457.90	2
Respond Systems	Courthouse – Maintenance Supplies	96817	\$	27.98	
Roughrider Electric Cooperative	Pole Service	96818	\$	2,366.88	1
Rummel Auto Wrecking	Ambulance – Supplies	96819	\$	14.25	

Rummel, Patrick	S. O. – Travel & Wellness Program	96820	\$	207.50	
Runnings Farm & Fleet, Inc.	Parts & Supplies	96821	\$	484.64	2, 3, G
Southwest Business Machines	Office Supplies	96822	\$	1,561.71	W, G
Schmidt Repair, Inc.	Parts & Supplies	96823	\$	200.96	1, 3
Service Printers	Weed – Newsletter	96824	\$	882.14	Weed
Seven Seas Inn – Mandan	Weed – Convention	96825	\$	252.00	Weed
Shade, Kim	Easement	96826	\$	71,337.40	3
Sig Sauer, Inc.	S. O. – Equipment	96827	\$	2,596.00	
Simmioniw, Les	Weed – Cellular Service	96828	\$	178.78	Weed
Smart Computers & Consulting	Computer Support	96829	\$	1,111.98	
St. Joseph’s Hospital	S. O. – Blood Test	96830	\$	89.00	
Stein’s, Inc.	Courthouse – Maintenance Supplies	96831	\$	571.00	
Superpumper, Inc.	S. O. – Gas	96832	\$	286.23	
Southwestern District Health Unit	Taxes	96833	\$	7,943.37	
Southwest Multi-Co. Correction Ctr.	Prisoner Care	96834	\$	180.00	
Southwest Water Authority	Taxes	96835	\$	2,310.64	
Southwest Water Authority	Water Usage	96836	\$	223.67	1, 2, 3
Tczap, John	Zoning Meeting - Mileage	96837	\$	35.00	
Thompson, Allan T.	Commissioner – Mileage	96838	\$	40.00	1
Tom’s Service Center	S. O. – Service	96839	\$	39.60	
Tractor & Equipment Company	Parts & Repairs	96840	\$	2,832.96	1, 3
U.S.D.A. – N.F.C.	C. Schneider River Bank Stabilization	96841	\$	24,813.33	
Verizon Wireless	Cellular Service	96842	\$	170.30	2, G
Wal-Mart	Parts & Supplies	96843	\$	370.30	3, G
Wanner, Theodore M., Trustee	Easement	96844	\$	10,444.00	2
West Dakota Oil, Inc.	Parts & Supplies	96845	\$	20.00	3
Westlie Truck Center	Parts & Supplies	96846	\$	315.10	3
Oyhus Land Company	Replace Lost Check – Rough Scoria	96847	\$	11,512.00	2
Alltel	Cellular Service	96888	\$	517.24	1, 3, G
American Family Life Assurance	Premium	96889	\$	722.53	
Consolidated	Internet Service	96890	\$	242.45	2, 3, W
Discovery Benefits, Inc.	Administrative Fees	96891	\$	78.75	
Discovery Benefits, Inc.	Premium	96892	\$	2,330.03	
Information Technology Dept.	S.O. – T-1 Line	96893	\$	437.80	
Medora, City of...	Courthouse – Utilities	96894	\$	162.81	
N.D. Dept. of Transportation	S.O. – Title Fees	96895	\$	6.50	
N.D. Dept. of Transportation	Title Fees	96896	\$	5.00	3
N.D.P.E.R.S.	Deferred Comp. Premium	96897	\$	4,274.00	
N.D.P.E.R.S.	Retirement	96898	\$	10531.04	1, 2, 3, W, G
N.D. Teachers Fund	Retirement	96899	\$	217.91	
Prudential	Deferred Comp. Premium	96900	\$	50.00	
Qwest	Telephone Service	96901	\$	304.81	1, 2, 3, W, G
Reservation Telephone Cooperative	Telephone Service	96902	\$	59.83	1, 2, 3, G
Roughrider Electric Cooperative	Electricity	96903	\$	2,007.00	1, 2, 3, G
Visa	Courthouse Supplies	96904	\$	629.00	

Payroll in the following amounts were approved for January: General Fund \$64,231.12; Road and Bridge Fund \$56,407.64; Weed Fund \$3,011.08

With there being no further business, Thompson moved to adjourn the meeting 2:10 P.M. Kasian seconded.

James Arthaud, Chairman

Attest: _____

Joan Jurgens, Auditor/Treasurer

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING – FEBRUARY 4, 2010**

The meeting was called to order at 1:00 P.M. with Commissioners Kasian and Thompson in attendance. Commissioner Arthaud was absent.

The purpose of the meeting was to award the equipment bids that were opened at the February 2, 2010 regular meeting.

Thompson moved to award the bid for the end dump truck for District 1 to Wallwork Truck Center, providing they can get the cat engine. Kasian seconded.

Kasian moved to award the bid for the snowplow truck for District 2 to Nelson International as theirs was the lowest bid that met specifications. Thompson seconded.

With there being no further business, the meeting adjourned at 1:10 P.M.

James Arthaud, Chairman

Attest: _____

Joan Jurgens, Auditor/Treasurer